

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

**ROOSEVELT ROAD RE, LTD. and  
TRADESMAN PROGRAM MANAGERS, LLC,**

**Plaintiffs,**

**Case 1:24-cv-01549-NG-LB**

**v.**

**SURGICARE OF WESTSIDE, LLC; SIDDHARTHA SHARMA, DPM; SURGICORE 5TH AVENUE LLC a/k/a and b/s/a FIFTH AVENUE SURGERY CENTER, LLC; NY ORTHO, SPORTS MEDICINE & TRAUMA, P.C.; JEFFREY STONE KAPLAN, MD; MATTHEW P. GRIMM, MD; ADRIAN PUJA, RPT; JOSEPH WEINSTEIN, D.O., P.C.; JOSEPH WEINSTEIN, DO; ANDREW MEROLA, MD; KOLB RADIOLOGY P.C.; THOMAS M. KOLB, MD; LENOX HILL RADIOLOGY AND MEDICAL IMAGING ASSOCIATES, P.C.; FOGELGAREN FORMAN & BERGMAN, LLP; ERIC FOGELGAREN; JONATHAN FORMAN; ROBERT BERGMAN; GORAYEB & ASSOCIATES, PC; and CHRISTOPHER J. GORAYEB**

**Defendants.**

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**NOTICE OF PARTIAL VOLUNTARY DISMISSAL  
PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

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Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs ROOSEVELT ROAD RE, LTD, and TRADESMAN PROGRAM MANAGERS, LLC hereby give notice that this action is voluntarily dismissed, with prejudice and without costs, only as to Defendant Andrew Merola, MD.

Dated: September 12, 2025

Respectfully submitted,

**THE WILLIS LAW GROUP, PLLC**

By: /s/ William J. Clay

**WILLIAM J. CLAY**

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***ATTORNEYS FOR THE PLAINTIFFS***

ROOSEVELT ROAD RE, LTD, and

TRADESMAN PROGRAM MANAGERS, LLC

cc: All parties via ECF